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07 DEC 2001

FORM PTO-1390 DEPARTMENT OF COMMERCE, PATENT AND TRADEMARK OFFICE
(REV 11-2000)

ATTORNEY'S DOCKET NO.

700117.401USPC

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

Unknown

10/009242INTERNATIONAL APPLICATION NO.
PCT/EP00/05273INTERNATIONAL FILING DATE
07 June 2000 (07.06.00)PRIORITY DATE CLAIMED
07 June 1999 (07/06.99)TITLE OF INVENTION
FISTULA BLOCKERAPPLICANT(S) FOR DO/EO/US
BURGARD, Gunther

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ A English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4)
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items of information:

10009242.040302

U.S. APPLICATION NO. (If known, see 37 CFR 1.55) Unknown 107 009242	INTERNATIONAL APPLICATION NO. PCT/EP00/05273	ATTORNEY'S DOCKET NUMBER 700117.401USPC
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21. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$690.00 International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div>	CALCULATIONS PTO USE ONLY																				
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).	\$860.00 \$130.00																				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:20%;">Claims</th> <th style="width:20%;">Number Filed</th> <th style="width:20%;">Number Extra</th> <th style="width:20%;">Rate</th> <th style="width:20%;"></th> </tr> <tr> <td>Total Claims</td> <td>18 - 20 =</td> <td>0</td> <td>x \$ 18.00</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td>Independent Claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$ 80.00</td> <td style="text-align: right;">\$0.00</td> </tr> <tr> <td colspan="4">Multiple dependent claim(s) (if applicable)</td> <td style="text-align: right;">+ \$270.00</td> </tr> </table>	Claims	Number Filed	Number Extra	Rate		Total Claims	18 - 20 =	0	x \$ 18.00	\$0.00	Independent Claims	1 - 3 =	0	x \$ 80.00	\$0.00	Multiple dependent claim(s) (if applicable)				+ \$270.00	\$270.00
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Total Claims	18 - 20 =	0	x \$ 18.00	\$0.00																	
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Multiple dependent claim(s) (if applicable)				+ \$270.00																	
TOTAL OF ABOVE CALCULATIONS =	\$1,260.00																				
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.	\$0.00																				
SUBTOTAL =	\$0.00																				
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).	\$0.00																				
TOTAL NATIONAL FEE =	\$1,260.00																				
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property	\$0.00																				
TOTAL FEES ENCLOSED =	\$1,260.00																				
	Amount to be refunded:																				
	charged																				


a. ☒ A check in the amount of **\$0.00** cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **19-1090**. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO: George C. Rondeau, Esq. Seed Intellectual Property Law Group PLLC 701 5 th Avenue, Suite 6300 Seattle, WA 98104-7092 United States of America (206) 622-4900	<div style="text-align: center;">  SIGNATURE </div> <hr/> <div style="text-align: center;"> George C. Rondeau, Jr. NAME </div> <hr/> <div style="text-align: center;"> 28,893 REGISTRATION NUMBER </div>
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